



City of Seattle

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Gregory J. Nickels, Mayor

**Department of Design, Construction and Land Use**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2303921

**Application Name:** Lisa Mach for Julie Howe

**Address of Proposal:** 5308 Ballard Avenue NW

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to change use from general retail sales and service to drinking establishment (Portalis Wine Shop and Wine Bar).

The following approval is required:

Administrative Conditional Use - To allow a drinking establishment in an NC2-65 zone.  
(Chapter 23.47.006B2, Seattle Municipal Code)

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or  
involving another agency with jurisdiction

**BACKGROUND DATA**

**Site and Vicinity Description**

The subject property is located at 5308 Ballard Avenue NW within an NC2-65 zone and in the Ballard Historical District. The site is located on the southeasterly portion of the block along Ballard Avenue NW between NW Vernon Place and 22<sup>nd</sup> Avenue NW. Properties to the east of

the site are zoned Commercial 1 with a 65 foot height limit (C1-65). Properties across Ballard Avenue NW are also zoned NC2-65, the zoning then changes to IG2-U/65 midway through the block to the west. At the very northern tip of this block abutting NW Market Street the zoning changes to NC3-65. Zoning to the southeast also changes to NC3-65 with the lot located at the intersection of Ballard Avenue NW and 20<sup>th</sup> Avenue NW. All perimeter streets are improved with curb, gutter, and sidewalk.

### Proposal Description

The applicant proposes to change use from a retail sales and service to an eating and drinking establishment. The project area is 1598 square feet. The proposed use will be a wine bar; an establishment that sells wine and provides a small food bar. In addition to walk-in sales, the wine bar will host private wine tasting for groups of less than 20 patrons. Interior alterations were permitted under the prior retail use under project number 2303498, permit number 736040. A new blade sign will be posted on the exterior of the structure above the entrance. The Ballard Avenue Landmark District Board has reviewed and approved the new signage.

### Public Comment

No comment letters were received during the public comment period, which ended July 16, 2003.

### ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

*A. All conditional uses shall be subject to the procedures described in Chapter 23.76, and shall meet the following criteria:*

- 1. The use shall not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

As described the proposed use should not be a detriment to the public welfare or injurious to property in the area as the area is zoned Neighborhood Commercial and is developed with commercial uses.

- 2. In authorizing a conditional use, adverse impact may be mitigated by imposing any conditions needed to protect other properties in the zone or vicinity and to protect the public interest. The Director shall deny or recommend denial of a conditional use if it is determined that adverse impacts cannot be mitigated satisfactorily.*

No adverse impacts are anticipated from this proposal.

*B. The following uses, identified as administrative conditional uses on Chart A of Section 23.47.004, may be permitted by the Director when the provisions of this subsection and subsection A are met:*

*2. Drinking establishments in NC1 and NC2 zones may be permitted as conditional uses. A drinking establishments in an NC1 or NC2 zone shall be evaluated according to the following criteria:*

*a. The size of the drinking establishment, design of the structure, signing and illumination shall be compatible with the character of the commercial area and other structures in the vicinity, particularly in areas where a distinct and definite pattern or style has been established.*

The proposal will be compatible with the character of the commercial area as it is of similar size as other uses in the area. The existing exterior will not change with the exception of a small 28” by 40” blade sign attached to the building above the entrance. This blade sign has been reviewed and approved by the Ballard Avenue Landmark District Board.

*b. The location, access and design of parking shall be compatible with adjacent residential zones.*

This proposal and an adjacent specialty food store are entitled to use a 2500 sq. ft. waiver as provided for in section 23.54.015E of the Seattle Municipal Code. The area of the site is surrounded by commercial zones and an Industrial zone with no residential zones in the vicinity.

*c. Special consideration shall be given to the location and design of the doors and windows of drinking establishments to ensure that noise standards will not be exceeded. The Director may require additional setbacks and/or restrict openings on lots which abut residential zones.*

Noise standards are not expected to be exceeded due to this proposal. The proposal will be located within an existing structure and will use the existing entrances. There are no residential uses or zones adjacent to the building with the exception of one residential unit within the building. Background music will be played on a stereo system at low volume.

*d. Drinking establishments shall not generate traffic which creates traffic congestion or further aggravates spillover parking on residential streets.*

Hours of operation are Tuesday through Friday from 11:00 a.m. to 10:00 p.m. and Saturday and Sunday from 11:00 a.m. to 11:00 p.m. The applicant projects that the wine (sales) shop will attract 20 to 25 customers per day and the wine bar between 25 and 30 customers per day. The use is expected to produce 40% of its daily traffic from 11:00 a.m. to 6:00 p.m. and 60% from 6:00 p.m. on. In addition to the patrons, the business will receive small truck deliveries twice a week.

The use with the anticipated number of patrons and the amount of seating should not generate traffic congestion or further aggravate spillover parking in residential areas. The majority of patrons are expected in the evening after 6:00 p.m. when most other businesses in the area are likely to be closed. Patrons that frequent the wine bar during the day will likely already be in the vicinity and not generate additional parking overflow or traffic congestion.

**DECISION-CONDITIONAL USE**

The conditional use application is **APPROVED**.

**CONDITIONS - NONE**

Signature: (signature on file) Date: September 18, 2003

Lori Swallow, Land Use Planner

Department of Design, Construction and Land Use

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